

Court of Appeals, State of Michigan

ORDER

People of MI v Al Fairfax

Docket No. 276030

LC No. 05-010161-01

E. Thomas Fitzgerald
Presiding Judge

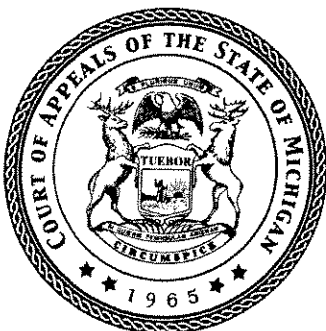
Mark J. Cavanagh

Deborah A. Servitto
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting defendant's delayed application for leave to appeal, the Court orders that that portion of the judgment of sentence requiring defendant to pay court costs of \$600 is VACATED. The circuit court may assess additional court costs against a convicted felon only when expressly authorized by statute. *People v Nance*, 214 Mich App 257, 259; 542 NW2d 348 (1995); *People v Slocum*, 213 Mich App 239, 242; 539 NW2d 572 (1995). At the time defendant committed his crime no statutes were in effect which would permit the assessment of these additional court costs in his judgment of sentence.

In all other respects the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 08 2007

Date


Chief Clerk